

<b>UNITED STATES BANKRUPTCY COURT</b> <b>DISTRICT OF NEW JERSEY</b>	
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In re:  <b>LTL MANAGEMENT LLC,<sup>1</sup></b>  Debtor.	Chapter 11  Case No.: 23-12825 (MBK)  Honorable Michael B. Kaplan

<sup>1</sup> The last four digits of the Debtor's taxpayer identification number are 6622. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933.

**APPLICATION FOR ORDER SHORTENING TIME AND CERTAIN OTHER RELIEF**

The applicant, the Official Committee of Talc Claimants (the “**TCC**” or the “**Committee**”) in the above-captioned case of LTL Management, LLC (the “**Debtor**” or “**LTL**”), by and through the Committee’s proposed counsel, having filed substantially contemporaneously with this Application (i) the *Motion of the Official Committee of Talc Claimants to (A) Compel Deposition Testimony of Adam Pulaski, (B) Authorize Substituted Service of a Subpoena on Mr. Pulaski, and (C) Grant Other Related Relief* (the “**Motion to Compel**”), and (ii) the *Motion of the Official Committee of Talc Claimants (A) for Authority to File Under Seal the Redacted Portions of an Exhibit of the TCC’s Motion to Compel Deposition Testimony of Adam Pulaski, and (B) for Other Related Relief* (the “**Motion to Seal**”;<sup>2</sup> and collectively with the Motion to Compel, the “**Motions**”), hereby requests that the time period required by D.N.J. LBR 9013-2(a) be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), and that an order be entered substantially in the form submitted herewith (the “**Scheduling Order**”), for the reasons set forth below:

1. **For the reasons set forth below, the Committee respectfully requests that the hearing on the Motions be scheduled for June 6, 2023 at 10:00 a.m., or as soon thereafter as the Court’s calendar permits.**

2. As set forth in the Motion to Compel, Adam Pulaski is an attorney at Pulaski Kherkher, PLLC (“Pulaski Kherkher”) located in Houston Texas. Pulaski Kherkher is a member of the Ad Hoc Committee of Supporting Law Firms (the “AHC”), the fees and expenses of which

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<sup>2</sup> A redacted version of Exhibit 1 to the Motion to Compel has been filed immediately prior to the filing of this Motion to Seal. An unredacted version of the TCC’s Opposition is being filed immediately after the filing of this Motion to Seal in accordance with this Court’s procedures for electronically requesting that a document be sealed (*see* [Process to Electronically Request that a Document be Sealed | United States Bankruptcy Court - District of New Jersey \(uscourts.gov\)](https://www.uscourts.gov/process-to-electronically-request-that-a-document-be-sealed)).

LTL Management LLC (“LTL” or the “Debtor”) has requested authority to pay in this Action [Dkt. 575-1].

3. Mr. Pulaski was deposed for two hours on the morning of Saturday April 15, 2023 (a limit of his insistence) in connection with the preliminary injunction in the adversary proceeding related to this bankruptcy case (the “April 15 Deposition”). A redacted version of that transcript of that deposition is attached as Exhibit 1 to the Motion to Compel (and is the subject of the Motion to Seal). As can be seen from that transcript, Mr. Pulaski was instructed over 70 times not to answer questions, in just the two hours to which he limited the deposition.

4. Mr. Pulaski refuses to sit for any additional deposition, even as he apparently expects the Ad Hoc Committee purporting to represent his interests be reimbursed by the Debtor in this Case [Dkt. 575-1, at 5]. On May 23, counsel for the TCC first asked Mr. Pulaski’s counsel (who insisted that all communications go through him) for a deposition date, and his counsel refused to provide one. On May 28, counsel for the TCC then asked Mr. Pulaski’s counsel to accept service of a subpoena under Bankruptcy Rule 9016 (incorporating Fed. R. Civ. P. 45), and on May 30 his counsel refused. The TCC then attempted to serve Mr. Pulaski personally on May 30, May 31, and June 1, but repeated attempts failed, due, seemingly, to Mr. Pulaski’s evasion. On May 31, Mr. Pulaski’s counsel confirmed that Mr. Pulaski was in fact refusing to sit for a deposition. (*See* Exhibits 2 through 6 to the Motion to Compel.)

5. Time is of the essence, as Mr. Pulaski’s deposition testimony is relevant to the Committee’s pending Motion to Dismiss this second improper Chapter 11 case commenced by LTL. As the Court knows, a trial on the Motion to Dismiss is scheduled to take place during the last week in June 2023.

6. By this Application, the Committee respectfully requests that the hearings on the Motion to Compel and the Motion to Seal be scheduled contemporaneously on June 6, 2023 at 10:00 a.m., or as soon thereafter as the Court's calendar permits.

7. Reduction of the time period requested by this Application is not prohibited under Fed. R. Bankr. P 9006(c)(2).

**WHEREFORE**, the Committee respectfully requests that this Court (i) grant the Application, (ii) enter the form of order substantially in the form submitted herewith, and (iii) grant such other and further relief as it deems necessary and appropriate.

Dated: June 2, 2023

**GENOVA BURNS LLC**

By: /s/ Daniel M. Stolz

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